

REMARKS

Claims 1-6 and 21-28 are now pending. Claim 1 was rejected under 35 USC 102 by the admitted prior art from the background of the invention which reads:

[0003] Currently, the process of unbundling, edging and facing mail is performed manually on an ad hoc basis. In some instances, the operator picks up an incoming bundle from an arriving container or transport, slices and removes the straps and plastic wrapping from the bundle using a hand-held knife. The unbundled mail must then be faced, edged and transferred to another container for transport to an automated sorter. These manual activities involve a large number of bends, lifts and turns on the part of the mail handler, motions that are ergonomically inefficient and time consuming. The present invention addresses these deficiencies.

Even claim 1 as originally filed did not read on this description. However to make the differences more clear, claim 1 has been amended to recite that claimed method involves both manual and automated operations. It does not and never did read on use of a hand held knife as in the admitted prior art. The human worker is moving the bundle on the table surface, not the slitter, and the slitter is of the automatic type, not a simple blade. The knife is activated “when the bundle is moved adjacent the film slitter.” This can’t be said of a hand held knife without ignoring the claim language entirely. The examiner also states that a “cartridge” is the same as an “automated sorter” (at page 4). There is no basis for such a conclusion; the admitted prior art says nothing about stacking mail in a cartridge. For these reasons the rejection under 35 U.S.C.102 should be withdrawn. New claims 22-28 are more detailed than claim 1 and are likewise not anticipated.

Claims 3 and 5 were rejected under 35 U.S.C.103 on the basis of the admitted prior art in view of Grahn et al. U.S. Patent No. 3,889,442. Grahn et al. relates to a device for removing a plastic wrapping, but from non-flat items such as cans and bottles. The examiner cites Grahn for film slitters 20, 21 and 22,23. As stated in the abstract:

a lengthwise cut is made in each of two opposite side walls of the wrapping below the level of the top wall thereof. According to the method a lengthwise cut is made in each of two opposite side walls of the wrapping below the level of the top wall thereof. A cut is then made along each of the four corners of the wrapping extending from the top wall of the wrapping towards the bottom wall thereof. A further cut is made across the top wall of the wrapping and extending into the side wall cuts. As a result of this combination of cuts, two flaps are

formed, each consisting of part of the top wall and continued by a portion of the two other opposite side walls of the wrapping... (Abstract)

This is shown in Figure 1. Applicant's claim 3 as amended makes clear the slits are made in side walls which are oriented at 90 degrees, and in the embodiment shown meet at a corner. Grahn et al.'s cutters make cuts in two opposing side walls and in the top of the package, but not in a pair of side walls that are perpendicular to one another. Accordingly, there is no basis in the cited prior art for the rejection of claim 3. Even if cutters 20, 21 cut into the top wall at the same time as cutters 22, 23 are opening the opposing side walls, this is not what claim 3 of the present application covers.

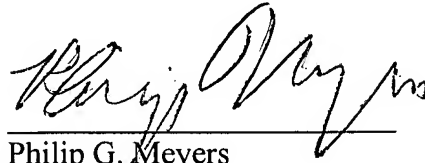
Regarding claim 5 the examiner states that "AAPA fails to teach that the horizontal work surface is substantially frictionless". It likewise does not disclose any kind of horizontal work surface, frictionless or otherwise. Grahn et al. likewise fails to teach a frictionless work surface; Grahn et al. is using rollers for conveying a package past knives, not as a work surface for manual positioning of the bundle as claimed by applicant. Further the surface is not frictionless, but allows rolling movement in one direction. Accordingly, claim 5 is patentably distinct.

As to claim 6, where is the examiner finding a "self adjusting lift" in Bretschneider et al.? The collectors 5 are only shown as positioned in a cart 7 which is clearly not self-adjusting. There is no basis for the rejection.

Favorable action and passage of the case to issue are respectfully requested. It is believed that no other fees are due. It is believed that no additional fee is due. If this is incorrect,

the Commissioner is hereby authorized to charge any fees which may be required by this paper to Deposit Account No. 50-1588.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Philip G. Meyers", written over a horizontal line.

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